

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the patent application of

Charles O. Townley  
Serial No. 10/758,455  
Filing Date 01/15/2004  
Docket No. THUMB-604DIV  
For BASAL THUMB JOINT IMPLANT (As Originally Filed)  
MODULAR BASAL THUMB JOINT IMPLANT (As Amended)

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JUN 12 2006

Complaint to the Commissioner

Commissioner for Patents  
Alexandria, VA 22313-1450

I certify that this correspondence is facsimile-transmitted  
to the Patent and Trademark Office (571 273 8300) on 12 JUN 2006:

Christopher John Rudy: Christopher John Rudy 12 JUN 2006.

Sir:

The present application, a divisional of application serial No. 09/352,472, has been on file for nearly two and one half years, and yet, no Office action on the merits has been received. Moreover, this application should have special status for reason of the advanced age of the Applicant, the same granted in the parent and requested in the present application at its filing.

On May 27, 2005, the undersigned talked with a certain gentleman named Walter at OIPE, who said that the case was ready for exam, and was to be assigned to Examiner Brian E. Pellegrino with SPE "release." Then, on August 26, 2005, the undersigned contacted Examiner Pellegrino by phone, and the Examiner stated that the application should be examined by the end of the year. That did not happen, and so, on March 9, 2006, the undersigned again contacted the Examiner by phone, and the Examiner said that the application should be examined in a month or so. That time, too, has come and gone without receipt of an Office action.

Such delay in this application is unacceptable.

Please correct the situation promptly.

Respectfully,

Dated: June 12, 2006 A.D.

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